

REMARKS

Claims 37-44 are pending in the present application. Claim 37 has been amended. Claims 45-50 have been added. Upon entry of these amendments, claims 37-50 will be pending.

Claims 37-44 stand as rejected under 35 U.S.C. § 103(a) as being unpatentable over Ausems et al. (U.S. Patent No. 6,434,403) in view of Dethloff (U.S. Patent No. 6,047,888) and further in view of Pitroda (U.S. Patent No. 7,308,426). Claim 44 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ausems et al. (U.S. Patent No. 6,434,403) in view of Dethloff (U.S. Patent No. 6,047,888) in view of Pitroda (U.S. Patent No. 7,308,426) and further in view of Natsuno (U.S. Patent No. 6,910,624).

Claim 37 has been amended to recite “a display connected to the wireless communication device for presenting payment options for conducting a transaction using the transaction card” and “wherein the second antenna communicates from the transaction card connected to the communication device to a merchant card reader to perform the transaction.” These amendments further clarify the ability of a user to use a wireless communication device (e.g., mobile telephone) to conduct a transaction using a transaction card (e.g., smart card) inserted in or connected to the wireless communication device (e.g., mobile phone). In an exemplary embodiment described in the specification, a user can purchase a snack from a vending machine using the wireless communication device.

The user selects a stored value account as the means of payment by using the menu presented by the mobile telephone 10. The user then approaches the vending machine 31 and passes the mobile telephone (and thus the contact-less smart card 13) near the contact-less smart card reader (receiving terminal) on the vending machine 31. The reader reads the information relating to the stored value account from the smart card, including the identification and stored-value account number. The user then selects the item desired by the user. The vending machine 31 detects the purchase price of the item selected (e.g., US\$1.00). The vending machine 31 transmits the stored value account information (e.g., account identification) and purchase price information to the payment center gateway 34 (as indicated by item 29). The payment center gateway 34 receives the information from the vending machine 31 and subtracts the purchase price of the item from the stored value account indicated.

Pages 19-20. The cited references fail to teach or suggest these amendments. Ausems, Dethloff, and Pitroda fail to teach or suggest using a transaction card connected to a wireless communication device for performing a transaction. Ausems recites that a PDA telephone can include a smart card, but does not provide any further enablement of a system where those smart

card functionalities can actually be used to conduct a transaction. See, e.g., col. 4, lines 40-50. Dethloff recites some functionality of a smart card using an antenna, but fails to teach or suggest a system where the smart card is connected to a wireless communication device for performing a transaction. See, e.g., col. 15, line 33 - col. 16, line 50. Pitroda recites an electronic transaction device can be a smart card, but Pitroda fails to teach or suggest a transaction card connected to a wireless communication device for conducting a transaction. See, e.g., col. 6, lines 55-63. Accordingly, Ausems, Dethloff, and Pitroda, alone or in combination, fail to teach or suggest each and every element of the claimed invention. Therefore, it is respectfully submitted that claims 37-50 are patentable over the cited references.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 50-4402.

Respectfully submitted,

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